UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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| In re: | DEC 0 9 2002 | |
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| VITAMINS ANTITRUST LITIGATION |) NANCY MAYER WHITTINGTON | |
| THIS DOCUMENT RELATES TO: | No. M.D.L. No. 1285 U.S. DISTRICT COURT | |
| McSHARES, INC. v. | Misc. No. 99-0197-TFH | |
| F. HOFFMAN-LaROCHE, LTD, ET AL. | D. Kansas Civil Action NO. 2:00-2098 | |
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ORDER DISMISSING DEFENDANTS BASF CORPORATION AND BASF AG WITH PREJUDICE

This matter being presented to the Court in connection with the unopposed Motion of Plaintiff McShares, Inc. to Dismiss Defendants BASF Corporation and BASF AG with prejudice,

IT IS HEREBY ORDERED that the First Amended Complaint in this action is dismissed with prejudice solely against BASF Corporation and BASF AG. This Order is without prejudice to McShares, Inc.'s claims against any other Defendant or alleged co-conspirator in the above-captioned case.

IT IS SO ORDERED.

Dated: _________, 2002.

Thomas F. Hogan

United States District Judge